United Nations A/C.4/60/SR.4

General Assembly
Sixtieth session

Official Records

Distr.: General
20 October 2005

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 4th meeting
Held at Headquarters, New York, on Friday, 7 October 2005, at 3 p.m.

Chairman: Mr. Aliyev ..... (Azerbaijan)

Contents

Agenda item 26: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*)

Hearing of petitioners (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-53980 (E)

The meeting was called to order at 3 p.m.

Agenda item 26: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*) (A/60/23, A/60/116)

Hearing of petitioners (*continued*)
(A/C.4/60/5/Add.5-43 and A/C.4/60/5/Add.44)

1. *At the invitation of the Chairman, Mr. Briones (International Association of Jurists for Western Sahara) took a place at the petitioners' table.*

2. **Mr. Briones** (International Association of Jurists for Western Sahara) said that it was deplorable that the human rights of the Saharan people continued to be violated and they still had not had an opportunity to exercise their right to self-determination through the holding of a referendum. Morocco was an occupying Power, not the administering Power; it had no sovereignty over Western Sahara and its continued presence was illegal under international law. Pursuant to General Assembly resolution 2625 (XXV), and the right of the Saharan people to self-determination must be respected by all States.

3. Combatants of national liberation movements like the Frente POLISARIO enjoyed special protection under General Assembly resolution 3103 (XXVIII) and the 1949 Geneva Convention relative to the Treatment of Prisoners of War applied to them. Nevertheless the rights of combatants as well as the civilian population continued to be systematically violated: arbitrary arrest, torture and politically motivated criminal trials against Saharan civil and social leaders and human rights defenders continued. The basic rights of the Saharan people had been recognized by the international community; he called for the appointment of a new Independent Jurist for Western Sahara, a position which had been vacant since 1999.

4. The conflict in Western Sahara was the last great test of the decolonization process. The Saharan people must be protected and their rights of freedom of expression and association preserved in order to ensure that the Second International Decade for the Eradication of Colonialism was brought to a successful conclusion.

5. *Mr. Briones withdrew.*

6. *At the invitation of the Chairman, Mr. Miranda (Asociación de Amistad con el Pueblo Saharaui de las Palmas de Gran Canaria) took a place at the petitioners' table.*

7. **Mr. Miranda** (Asociación de Amistad con el Pueblo Saharaui de las Palmas de Gran Canaria) said that in August 2005 he and three fellow priests had visited El Aaiún to investigate the human rights situation in Western Sahara. The city was clearly an occupied city, with a very heavy police and military presence. Any type of demonstration was quickly suppressed. Saharan activists with whom they had met told tales of physical mistreatment including torture and disappearances. The population was very concerned at the lack of progress towards self-determination and the international community's apparent indifference to their fate. The priests had been urged to visit the prison to ensure prisoners were still safe and to investigate the many missing persons. They were told people did not feel safe visiting the palace of justice unless there were international observers present, and did not feel safe even in hospitals. Many Saharans expressed regret that their Spanish documentation had been lost or stolen.

8. The situation in the prisons was disastrous: torture, rape, ill treatment, and hellish living conditions were common. Police cruelty against the civilian population had also been well documented by the international press. The people had no respect for the United Nations Mission for the Referendum in Western Sahara (MINURSO), which seemed to be doing nothing to protect the civilian population or look into the situation of prisoners, while staying at the best hotels and driving around in modern vehicles. The people also complained about exploitation of their natural resources by the Moroccan regime. Such violations of the rights of the people of Western Sahara were a direct result of the state of siege imposed by the Moroccan authorities who were trying to repress the Saharan people through fear, brutality, rape, imprisonment and summary trials.

9. *Mr. Miranda withdrew.*

10. *At the invitation of the Chairman, Mr. Pinto Leite (International Platform of Jurists for East Timor) took a place at the petitioners' table.*

11. **Mr. Pinto Leite** (International Platform of Jurists for East Timor) recalled that like in East Timor, a free and fair referendum was the only real solution or legal option for Western Sahara, yet halfway through the Second International Decade for the Eradication of

Colonialism. Morocco continued to defy international law.

12. There was nevertheless increasing pressure on Morocco. The majority of the Saharan population lived in the camps of Tindouf under its own administration, and part of Western Sahara was already a liberated zone. The Saharan Arab Democratic Republic had established relations with more than 70 States, most recently Kenya and South Africa, and it had all the attributes of a sovereign State, thus fulfilling the legal criteria for statehood under the Montevideo Convention on the Rights and Duties of States.

13. The abuse of Saharan prisoners in the El Aaiun prison had been exposed but the Moroccan authorities, rather than addressing that situation, had started lawsuits against two prisoners, accused of smuggling photos out of the prison, and claimed the photos had been forged. The Moroccan authorities seemed convinced that the international community would accept a fait accompli and had falsified maps of the region, erasing the border between Morocco and the occupied territory. Recently they had forced the Dutch organizers of an exhibition celebrating 400 years of relations between Morocco and the Netherlands to modify their catalogue to reflect Morocco's version of a map of the area. Similar actions had been taken during the recent 2005 World Exposition in Aichi, Japan.

14. The truth about the situation in Western Sahara was nevertheless well documented and he hoped that the Security Council and Member States would put an end to the colonization of that territory by Morocco and that the mandate of MINURSO would be changed so that it could intervene to prevent human rights violations. The international community must also ensure that the long overdue referendum on self-determination was held so that the last colony in Africa could finally be freed from foreign oppression and the goals of the Second International Decade for the Eradication of Colonialism could be achieved.

15. *Mr. Pinto Leite withdrew.*

16. At the invitation of the Chairman, Mr. Lippiat (President, WE International) took a place at the petitioner's table.

17. **Mr. Lippiat** said he had often visited with the people of Western Sahara who were a beautiful and resilient people; for nearly 30 years, they had conducted their struggle within international norms, avoiding terrorism from the outset. The Saharan government was an example of active democracy for the entire region. Tragically, however, Morocco had been able to persist in its illegal and brutal occupation of Western Sahara and its flagrant violations of United Nations resolutions and international law and the United Nations had done next to nothing. Morocco was attempting to shift the debate from the right to self-determination of the Saharan people to Morocco's so-called "territorial integrity" and "sovereignty". He stressed, however, that Morocco's sovereignty over and illegal occupation of Western Sahara had never been recognized. That had been clearly stated by the International Court of Justice in its Advisory Opinion of October 1975. Morocco was also in violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War because it was resettling thousands of Moroccans in Western Sahara.

18. Amnesty International had reported that hundreds if not thousands of Saharans had been imprisoned or disappeared and recent demonstrations against the Moroccan Government had been met by arrest and torture. Morocco claimed that the 160,000 residents living in the camps in Algeria were not refugees but were being held against their will, which was nonsense. He recalled that the Baker Plan had been accepted by the Frente POLISARIO, which had also recently released 404 Moroccan prisoners. Morocco, however, had rejected the Baker Plan and characterized the conflict in Western Sahara as artificially created by the Frente POLISARIO.

19. It was urgent that the United Nations invoke Chapter VII of the Charter and impose a solution. Morocco was doing nothing to bring about a resolution to the conflict and the Saharan people continued to suffer and wait. They must not be abandoned by the international community, while the United Nations continued to spend millions keeping a presence in the region. In order to avoid a return to conflict, Western Sahara must be returned to its people.

20. *Mr. Lippiat withdrew.*

21. *At the invitation of the Chairman, Mr. Rodríguez (Liga Española Pro Derechos Humanos), took a place at the petitioners' table.*

22. **Mr. Rodríguez** (Liga Española Pro Derechos Humanos) said that it was intolerable, at a time when human rights were a priority on the international

agenda, that nearly 200,000 Saharans still lived in the refugee camps in Tindouf, in one of the most inhospitable regions of the planet. Furthermore, the systematic violation of the rights of the Saharan people by the Moroccan authorities had been well documented; some international observers had even characterized that oppression as genocide. Requests by non-governmental organizations to undertake investigations of the human rights situation were systematically denied; for example, he and several other passengers had been refused permission to deplane by the Moroccan authorities when they had arrived in Western Sahara in June 2005. In that context, he paid tribute to the 37 Saharan political prisoners who had undertaken a 51-day hunger strike in August and September 2005 to draw attention to the illegal occupation of Western Sahara and demand a referendum on self-determination, as approved by the United Nations.

23. He welcomed the appointment of the Special Representative of the Secretary-General for Western Sahara and looked forward to a fair and definitive settlement of the situation in Western Sahara in accordance with relevant United Nations resolutions, so that Morocco's military occupation of the region would not be allowed to succeed. He also welcomed the release of the last political prisoners and prisoners of war by the Frente POLISARIO and expressed the hope that the Government of Morocco would clarify the situation of 150 missing Saharan soldiers and 500 Saharans, who were victims of forced disappearance.

24. He also demanded: that an independent international medical mission be allowed to investigate the situation of Saharan political prisoners with a view to their release; that Morocco fulfil its obligations under article 2 of the Association Agreement between the European Union and the Kingdom of Morocco; and that the international community prevail on the Government of Morocco to act in good faith to put an end to the conflict. The fate of an entire people, which was faced with chronic illness, malnutrition and destruction of their cultural and social heritage, was the responsibility of the international community. The relevant resolutions must be implemented in order to put an end to an illegal military occupation and return Western Sahara to its people.

25. *Mr. Rodríguez withdrew.*

26. *At the invitation of the Chairman, Mr. Van der Veken (Belgian Committee of Support to Western Sahara) took a place at the petitioners' table.*

27. **Mr. Van der Veken** (Belgian Committee of Support to Western Sahara) said that he, together with representatives of other Belgian voluntary youth movements, had visited Saharan refugee camps in 2003 and 2004 and started the construction of a youth centre in Smara. That fully equipped centre would start operating in 2006 and its activities would consist of language courses, activities for children and even activities for disabled children. The national youth organization of the Saharans, UJSARIO, was providing programmes to teach young people how to take up their responsibilities in society when they returned to their rightful home. However, they had to be able to believe in that return; currently, there were very few prospects and virtually no paid jobs, so there was little pressure on young adults to assume their role in society.

28. Voluntary work should continue in the camps to try and give young people a chance to develop their talents and feel that they were needed by society. Many Saharans were discouraged and felt that the peace settlement had brought them very little. As long as they could not exercise their right of self-determination, it would be impossible to keep young people motivated. Young people could not be expected to take up responsibilities if they felt they had no prospects beyond a future of living in refugee camps. Two generations of Saharans had been lost because of the failure to help them in their search for self-determination. The United Nations should strive to find a just solution to the situation, before a third generation was lost.

29. *Mr. Van der Veken withdrew.*

30. *At the invitation of the Chairman, Ms. Teuwen (Oxfam Solidarity) took a place at the petitioners' table.*

31. **Ms. Teuwen** (Oxfam Solidarity) said that unfortunately, the situation of Saharan refugees had seriously deteriorated. The contributions from international agencies, particularly the World Food Programme (WFP) and the European Community Humanitarian Office (ECHO) were inadequate in both terms of quantity and quality. Assistance was currently being provided to 158,000 refugees. At the beginning of 2005, however, WFP had carried out a nutritional study in the Saharan refugee camps which had shown

very alarming results: the overwhelming majority of pregnant women and children were anaemic and the figures for both global and chronic malnutrition were extremely high. Nearly one third of children were underweight and one third of very young children suffered from problems of growth.

32. Despite those findings, WFP had recently announced that it would substantially reduce its assistance to the Saharan people. Figures clearly showed that basic foodstuffs provided by WFP only sufficed during a crisis and were totally inadequate for an extended crisis situation as was the case in the Western Sahara. ECHO had previously provided supplementary assistance to help enrich and diversify the refugees' food basket. In 2003, it decided to change its approach and contribute to the WFP's budget rather than providing supplementary support. Although the European Parliament had unanimously adopted a resolution in April 2005 calling on ECHO to review its decision so that the Saharan refugees would have a wider range of foodstuffs, no decision had yet been taken on this matter.

33. Bilateral assistance from a number of countries, such as Algeria, Belgium, Italy and Spain, had always helped in the event of disruptions in supply and to enrich the food basket. Although that assistance was more necessary than ever, the change in the approach taken by ECHO was tempting other bilateral donors to revise their policy towards Saharan refugees. She appealed to donor Governments to resume or continue their efforts to help Saharan refugees and called upon the United Nations to continue to ensure that the refugees had adequate protection until such a time as settlement to the conflict had been reached.

34. *Ms. Teuwen withdrew.*

35. *At the invitation of the Chairman, Mr. Stanley (Manna Church) took a place at the petitioners' table.*

36. **Mr. Stanley** (Manna Church) said that he was the pastor of a local church in North Carolina and had been praying for the independence of Western Sahara since 1999. The time had come for the people of Western Sahara to exercise their right of self-determination, in accordance with General Assembly resolution 1514 (XV). He had visited the Tindouf refugee camps several times and found the Saharan people to be a unique, warm and forgiving people that the world needed to know and recognize. He strongly urged the United Nations to end the current tragedy and enforce the decolonization of Western Sahara.

37. *Mr. Stanley withdrew.*

38. *At the invitation of the Chairman, Ms. Scholte (Defence Forum Foundation) took a place at the petitioners' table.*

39. **Ms. Scholte** (Defence Forum Foundation) said that while the United Nations had brought about a ceasefire to the conflict in Western Sahara in 1991, it had failed to fulfil its promise of a vote on self-determination by the Saharan people. Instead, the Saharan people had seen their country invaded by Morocco, their civilians brutally killed and their families separated for 30 years. The fact that the Saharan people preferred to live as free people in one of the most inhospitable places on earth rather than under Moroccan rule was a testament to the human spirit and the idea of freedom. It was also a testament to the cruelty of Morocco in its brutal occupation of Western Sahara.

40. The only viable solution to end the stalemate was to call upon Morocco to withdraw from Western Sahara and to organize a free and impartial referendum. That would bring about a Saharan republic that could flourish as a peaceful democratic State of Muslim progressives who renounced all forms of terror; the reunification of families separated for 30 years and the immediate reduction of the refugee population; stability and economic development in the Maghreb and a redirection of funds currently spent on Morocco's occupation forces in Western Sahara and Moroccan lobbyists around the world, to benefit the Moroccan people. A failure to persuade Morocco to leave Western Sahara would mean the continued subjugation of the Saharan people and would also prove to the Saharans that laying down their weapons and agreeing to the ceasefire had been a terrible mistake; and it would also show the world that the United Nations was not serious about its own purpose of ensuring that Saharans would have the right to exercise self-determination.

41. *Ms. Scholte withdrew.*

42. *At the invitation of the Chairman, Mr. Strömdahl (Swedish Western Sahara Committee) took a place at the petitioners' table.*

43. **Mr. Strömdahl** (Swedish Western Sahara Committee) said that Morocco continued to claim that

Western Sahara was the Moroccan Sahara and to confiscate maps showing the correct borders. The fact remained that two thirds of Western Sahara was still a colony, the last one in Africa. Moroccan leaders described the refugee camps outside Tindouf as prisons for poor South Moroccans sequestered by force, but any visitor to the camps knew that to be a lie and was impressed by the sound organization and democratic structure prevailing in those camps, despite a lack of resources. Moroccan propaganda reported that children in the camps had been taken away from their parents and sent for military training in Cuba. In fact, the Saharan education system was very effective with compulsive primary schools and total literacy in the camps; university training depended very much on the goodwill of Algeria, Spain, the Libyan Arab Jamahiriya and Cuba, and most of the university-trained students returned to the camps, despite a lack of jobs. Morocco did not allow any criticism of the camps; several groups of journalists and politicians had been denied entry or forced to leave the Territory.

44. Morocco must end the repression of Saharans in the occupied area. Political prisoners should be released and international observers and independent journalists free to work. An international investigation commission could be formed to study human rights conditions in the camps and in the occupied area. A political negotiated solution must be reached without delay. If Morocco continued to reject the Peace Plan, the only alternative was to go back to the settlement plan for Western Sahara. The Frente POLISARIO could not be asked to make any more concessions.

45. *Mr. Stromdahl withdrew.*

46. *At the invitation of the Chairman, Mr. Machin (University Las Palmas de Gran Canaria) took a place at the petitioners' table.*

47. **Mr. Machin** (University Las Palmas de Gran Canaria) said that, despite the two Baker Plans of 2001 and 2003, the situation in Western Sahara continued to be deadlocked because the root of the problem had not been addressed: Algeria and Morocco, both Member States of the United Nations and of the Arab Maghreb Union, should sit together at the negotiating table and work out a framework of action. First, the obstacles to the establishment of a stable, economically and politically viable Arab Maghreb Union should be eliminated, as that would benefit all the peoples of north-west Africa and guarantee sound relations with Europe and the rest of the world, and greater autonomy should be established for Western Sahara, which could usher in a process of decentralization, that could be extended throughout the Maghreb. Second, it would be necessary to solve the problems of the Saharan population as a whole: not only those living within the Western Sahara but also those scattered throughout the world, especially in Mauritania. That step would be extremely sensitive as it would involve persons and families who had experienced different circumstances, and it would therefore need to be taken within a democratic framework and in full respect for human rights.

48. These proposals would not be easy to implement, as there were vested interests in all governmental and social sectors of the countries involved. Furthermore, hatred had been generated against persons and institutions, as was the case in all civilian conflicts. However, attempts should be made to rise above these considerations as all parties would benefit. Morocco's territorial unity would be safeguarded; Algeria would be relieved that an independent state in the Sahara had been avoided as it was, itself, not immune from a similar development; Tunisia, the Libyan Arab Jamahiriya and Mauritania would welcome the removal of a major obstacle to the creation of the Arab Maghreb Union; the European Union would view with satisfaction a more stable region in the south as that would stem the flow of sub-Saharan migrants to its countries; the United Nations would have achieved its main objective, preservation of world peace; and, finally, the Canary Islands would welcome a country across the seas that lived in peace and was integrated in a supranational environment. A further positive development would be that funds could be redirected to social and economic development rather than to the conflict.

49. *Mr. Machin withdrew.*

50. *At the invitation of the Chairman, Ms. Basinet took a place at the petitioners' table.*

51. **Ms. Basinet**, speaking as a private individual, said that the displaced Western Saharans' lack of security was militating against what they wanted for themselves as a society. Yet what the Saharan people had withstood for 30 years in pursuit of self-determination in the face of such opposition was a model for all.

52. *Ms. Basinet withdrew.*

53. *At the invitation of the Chairman, Mr. Hicks, representing Mr. Poe (United States House of Representatives), took a place at the petitioners' table.*

54. **Mr. Hicks**, representing **Mr. Poe** (United States House of Representatives), observed that 30 years after both the International Court of Justice and the United Nations had called for a referendum and upheld the right to self-determination in Western Sahara, the matter was still unresolved. While issues like the treatment of prisoners should be investigated, the central question remained the status of Western Sahara. The longer the United Nations failed to act to ensure the Saharan people's right of self-determination, as demanded by the Charter, the more difficult it would be to avoid a repetition of the tragic violence that had occurred in other territorial disputes. Other countries with border disputes, such as Eritrea and Ethiopia, Nigeria and Cameroon, and North and South Sudan, as well as countries outside Africa, were watching to see what precedent would be established in Western Sahara. Although the Frente POLISARIO was vastly outnumbered by the Moroccan military, the Saharans were resolute, for they were struggling for their land, their homes and their future. Tens of thousands had already voted with their feet and now lived in refugee camps, in the unforgiving Sahara desert, while their future was held hostage by foreign Powers.

55. **Mr. Idoko** (Nigeria) said that Mr. Hicks's reference to other border conflicts, among them the dispute between Nigeria and Cameroon, tended to obscure the important question before the Committee and the relevance of his presentation, which had otherwise been a valid one.

56. *Mr. Hicks withdrew.*

57. *At the invitation of the Chairman, Mr. Chauprade (Sorbonne University) took a place at the petitioners' table.*

58. **Mr. Chauprade** (Sorbonne University) said that he had come as an expert in international relations to argue for Morocco's legitimate claims in Western Sahara, on the basis not of ideology or politics, but of the facts. Morocco's links with its Saharan provinces went back to the unification of Greater Morocco in the 11th century; the southward extension of pre-colonial 16th to 18th-century Morocco was much greater than in modern times; the scattered Saharan tribes — mostly of north Moroccan origin — historically paid allegiance to the Moroccan kings, and five out of the seven Moroccan dynasties themselves were of Saharan origin. Any legal justification of position on the question of Western Sahara had to be founded not on strategic claims but on the evidence of that long past that the Moroccan people saw as the essence of a Moroccan State extending, north to south, from Europe to sub-Saharan Africa, and that underlay Morocco's claim. That was the conviction that lay behind the many sacrifices that Morocco had made to bring literacy, irrigation and port facilities, and consequent employment, to its Saharan peoples.

59. The question of Western Sahara needed to be settled, for there were new and troubling developments in the area. In both the Sahara and the Sahel, experts in geopolitics were watching with apprehension the emergence of armed Islamist groups whose aim was to co-opt local problems to serve their religious fundamentalism and who were attracting adherents among marginalized nomadic tribes. In an Algerian newspaper interview, the leader of the Frente POLISARIO had acknowledged that some members of his own movement might be drawn to radical Islamism.

60. The key to resolving the question of Western Sahara was to allow Morocco and Algeria to find a solution together to what was not a colonial issue but a regional problem between their two countries. Failure to act quickly would open the door to extremism. Algeria must recognize Morocco's historical rights; Morocco must understand Algeria's geopolitical ambition to extend its borders to the Atlantic, and must give an appropriate sovereign response; the Saharan populations divided by the Berlin Wall of the Frente POLISARIO camps must be reunited so that they could work together to develop their province in keeping with their own identity. To govern was to choose, and the international community must opt for a balance of power between nation States that were strong because they had resolved their border problems and were able to combat international terrorism more effectively and better pursue their development.

61. *Mr. Chauprade withdrew.*

62. *At the invitation of the Chairman, Mr. González Díaz (Asociación Saharaui para la Defensa de Derechos Humanos) took a place at the petitioners' table.*

63. **Mr. González Díaz** (Asociación Saharaui para la Defensa de Derechos Humanos) observed that the Western Sahara dispute was only one aspect of the

ongoing decolonization of North Africa. The chief victims of that conflict had been the Saharans living under Moroccan sovereignty within the 1979 frontiers; their rights had been sacrificed to policies and political agreements in which they had not been the main consideration. The question had been internationalized by the involvement of third countries, thus leading to armed confrontation. Meanwhile, Spain's geostrategic use of the Canary Islands to spearhead its colonial ambitions in North Africa by preserving its hold on other colonial enclaves in Morocco was violating the most basic rights of the people of those areas and of the entire region.

64. His organization called for a respect for the territorial integrity of Morocco and urged a resolution of the conflict, within the context of Moroccan sovereignty, using United Nations mediation to achieve the disbanding of the Tindouf camps through negotiations between the two parties, Algeria and Morocco. Algeria's proposal, to partition the disputed territory was a political absurdity because it irrevocably separated individuals, families and tribes and divided a Territory that was an integral whole; the aim was not to confer rights on the people involved but rather to satisfy those who wanted an independent republic separate from Morocco. European Governments, moreover, had no business taking part in the perpetuation of the conflict in pursuit of colonialist interests. The two parties concerned must be urged to settle the Western Sahara dispute politically, in a solution based on autonomy, with an effective transfer of power in accordance with international law. Such a transfer would be in keeping with the process of institutional decentralization and democratization that had been going on in the Kingdom since 1976. Also, in the interests of the larger decolonization of the region, Spain should enter into negotiations with Morocco over its control of its Northern African enclaves and should agree to the decolonization of the Canary Islands and the return of its inhabitants in the diaspora.

65. *Mr. González Díaz withdrew.*

66. *At the invitation of the Chairman, Ms. Travieso Darias (Asociación pro Derechos Humanos de Canarias) took a place at the petitioners' table.*

67. **Ms. Travieso Darias** (Asociación pro Derechos Humanos de Canarias) said that, with its brutal repression, Morocco had since 1975 been seriously and systematically violating the human rights of the Saharan population living in the occupied territories of Western Sahara, creating a climate of terror. Over the past three years, in 10 visits to El Aaiun, her organization had been able to interview victims of anti-personnel mines, representatives of human rights associations, family members of disappeared persons and former political prisoners. Hundreds had disappeared or been jailed arbitrarily, including minors, and been subjected to torture or rape. Since 1975, 25 per cent of the Saharan female population in the occupied territories had been jailed, many of them not yet 16 years old, and their whereabouts in Moroccan secret jails was still unknown. None of them had been brought to trial. The Moroccan authorities had, moreover, turned a deaf ear to those demanding to know the whereabouts of over 500 of their relatives who had disappeared.

68. The Saharan population was peacefully demanding respect for its fundamental rights, respect for international law and the holding of a referendum of self-determination. Yet in reprisal, Morocco had in May and July 2005 dispatched a large contingent of police and soldiers to attack the population. Giving details of Moroccan atrocities against three Saharan human rights defenders, she noted that they were only three of the 37 who had been imprisoned. On their behalf, she pleaded for the world to hear their call for freedom and peace.

69. *Ms. Travieso Darias withdrew.*

70. *At the invitation of the Chairman, Mr. Rodríguez Rodríguez (Movimiento Canario de Solidaridad) took a place at the petitioners' table.*

71. **Mr. Rodríguez Rodríguez** (Movimiento Canario de Solidaridad) said that very few members of his organization had been able to enter the occupied territories, given the general policy of the occupying Power to deny entry to humanitarian organizations and even Spanish Government representatives. In the meantime, even as it was proclaiming its readiness to reach a negotiated solution to the question of Western Sahara, the Moroccan Government was cynically ceding the Saharan people's resources for exploitation by foreign corporations even though it had no rights whatsoever over those resources. At the same time, the people of the Territory lacked essential services and had to endure humiliating treatment by the Moroccan security forces. The danger was that the people living in such circumstances would begin to see armed

resistance as the only way out. The presence of MINURSO was a good thing, even though it was discredited among the population itself, who felt that it should be doing more. Members of the Mission were able to observe human rights violations, but their actions and their reports were too weak. MINURSO should be given more power to intervene, so as to prevent outbreaks of violence and human rights violations.

72. Work was being done by his organization in the camps in Tindouf, which housed 200,000 Saharan displaced persons or refugees. Despite the commendable work being done by public and private aid organizations in the camps, the task would never be completed until a settlement agreement was reached. The world could not look away from the sufferings of those in the camps, especially considering the logistical difficulties of attending to such a large population settled against their will in such an inhospitable site.

73. Unless the international community acted rapidly, intelligently and vigorously, the situation in Western Sahara might become irreversible. The Organization, at the risk of losing prestige, must find a way to force Morocco to stop flouting United Nations resolutions even as it declared itself to be a nation that respected democratic values. MINURSO should be given the personnel and resources to enforce those resolutions and guarantee human rights.

74. *Mr. Rodriguez Rodriguez withdrew.*

75. *At the invitation of the Chairman, Ms. Huff (Teach the Children International) took a place at the petitioners' table.*

76. **Ms. Huff** (Teach the Children International) said that over the past six years, she had watched as the men and women in the Saharan refugee camps had lost hope, leading to despondency and a breakdown in family structure. The women had suffered as they had taken up strong family roles in the absence of their husbands. A recent report published by the United Nations Children's Fund (UNICEF) revealed that children were approximately two inches shorter than their parents had been at the same age, which was attributable to nutritional deficiencies and harsh living conditions. The United Nations had the power to resolve the situation, but apparently the determination to go to the next level was lacking. Although petitioners were pleased that members of the Committee were willing to listen to the cry for help of the Saharan people, it was now time to achieve justice for the Saharans and freedom for Western Sahara.

77. *Ms. Huff withdrew.*

78. *At the invitation of the Chairman, Lord Newall (International Committee for Prisoners of Tindouf), took a place at the petitioners' table.*

79. **Lord Newall** (International Committee for Prisoners of Tindouf) said that as the Chairman of that organization, he had visited Western Sahara, spoken with former prisoners of war and their families, and listened to testimony concerning human rights abuses, harsh living conditions, torture, forced labour and solitary confinement. In view of the flagrant violation of international human rights legislation, which had grave implications for Algeria, there was an urgent need to resolve the situation. First, an international inquiry must be held into the fate of the many people who had disappeared from the camps at Tindouf. Second, those responsible for human rights violations, including torture, must be brought to justice. Third, the Government of Algeria must provide compensation for the torture and abuse suffered by victims illegally imprisoned in its territory. Finally, the bodies of those who had died on Algerian soil while in prison must be recovered.

80. *Lord Newall withdrew.*

81. *At the invitation of the Chairman, Ms. Lenz (Saharawi Children's Program) took a place at the petitioners' table.*

82. **Ms. Lenz** (Saharawi Children's Program) said that she had visited the refugee camps 17 times and that for the past six summers her organization had coordinated the stays of roughly 200 Saharan children with host families across the United States. Those children had candidly expressed their thoughts, feelings, experiences, and knowledge of the world they lived in. The organization had built an English school in the camps, at the invitation, and with the cooperation, of the Frente POLISARIO.

83. In recent months, Morocco had blatantly violated human rights by imprisoning and torturing Saharans living in occupied territory. Meanwhile, it was engaging in political manipulation of the media. The Saharans were striving to keep hope alive and continued to choose the methods of non-violent protest to make their plight heard. They were putting aside their individual pursuits and identity, and even their

former tribal divisions, to preserve their national identity as the people of Western Sahara. They wanted nothing more than true freedom in their homeland and under their own rule — not the freedom of a regime that had forced them from their homes.

84. *Ms. Lenz withdrew.*

85. *At the invitation of the Chairman, Ms. Bahaijoub (Family Protection) took a place at the petitioners' table.*

86. **Ms. Bahaijoub** (Family Protection), expressing concern over those who had disappeared from the prisons and camps in Tindouf, said that their fate was unknown and their disappearance constituted a flagrant violation of international law. The families of the disappeared had been unable to go through the natural grieving process and could not start to rebuild their lives. Fourteen years had passed since the explicit call by the United Nations to solve the question of the persons who had disappeared. Algeria had ignored that call, and was therefore in serious breach of Protocol I to the Geneva Conventions of 12 August 1949.

87. The Algerian authorities also had a responsibility to conduct an investigation into the Moroccan prisoners missing from the Tindouf camps. She appealed to them to cooperate with the Moroccan authorities, the International Committee of the Red Cross, the Commission on Human Rights and Amnesty International to find out what happened to the people unaccounted for. At the same time, an independent investigation should be launched to clarify the circumstances of the forced disappearance of military and civilian persons. All the necessary measures should be taken to identify individuals responsible for inflicting torture and death and to bring them before a court of law, to be sentenced according to the seriousness of their crimes.

88. *Ms. Bahaijoub withdrew.*

89. *At the invitation of the Chairman, Ms. Stame Cervone (Christian Democratic Women International) took a place at the petitioners' table.*

90. **Ms. Stame Cervone** (Christian Democratic Women's International) said that the question of Western Sahara should have been resolved long ago on the basis of the advisory opinion of the International Court of Justice. According to Muslim law, ties of loyalty formalized the sovereignty of the State. International law could not overlook that reality. In the past, the Saharan people had always shown loyalty to the King of Morocco. The right to self-determination should not be used as a pretext to undermine the principle of territorial integrity. In that regard, the question arose as to why Algeria wanted to limit the existence of the Saharan people only to Moroccan territory, as if there were a there a difference between Moroccan and Algerian Saharans. It was time to end the masquerade and bring the Algerians to the negotiating table with Morocco.

91. Concerning the situation in the Tindouf refugee camps, testimony by survivors who had managed to flee was almost unbearable. One of the most tragic examples was the deportation of children from Tindouf to Cuba. Those deportations were rarely mentioned in the media and did not seem to interest non-governmental organizations. Upon arrival in Cuba, children's travel documents were taken away. They were sent to camps, where they were indoctrinated and given military training, and were exploited as labourers and servants. Their deportation was used by the Frente POLISARIO, with the support of Algeria, as a means of pressure to keep their parents in the camps at Tindouf. When the children returned to Tindouf, often after 10 years or more, the shock was terrible. Sometimes their parents had died, or had been mistreated for objecting to the deportations. The only way to solve the political dimensions of the conflict was through dialogue between Morocco and Algeria. The Algerian authorities could not shirk their moral, political and maternal responsibility.

92. *Ms. Stame Cervone withdrew.*

93. *At the invitation of the Chairman, Ms. Warburg (Freedom for All) took a place at the petitioners' table.*

94. **Ms. Warburg** (Freedom for All) said that fear and suspicion pervaded the Frente POLISARIO refugee camps, with the refugees living in constant fear of arbitrary punishment and abuse. The camps' revolutionary councils wielded supreme power and any suspicion of dissent was publicly and brutally punished, often with torture and imprisonment. To maintain and consolidate power, the Frente POLISARIO separated husbands and wives, parents and children. Children were trained to spy and inform on other refugees. Women were often forced to remarry against their will and/or to bear different men's children. Young women were removed from their families and systematically raped, living in isolation

until they gave birth. All boys from the age of 15 lived in military camps and were trained to fight. Humanitarian aid, provided by the international community for the welfare of the refugees, was sold illegally and the funds used to purchase weapons, in contravention of the Convention on the Rights of the Child.

95. Even more shocking was the deportation, as punishment and a means of ensuring compliance, of young children aged 7 and 8 to Cuba, the Libyan Arab Jamahiriya, Angola and Mozambique. While in exile, those children were often exploited, with many being forced to work in agriculture, in factories or as domestic servan... Although some of them eventually returned to the Frente POLISARIO camps, they often encountered problems in adjusting and reintegrating into Saharan society. The children and victims of conflict in Western Sahara looked to the United Nations to help end their suffering.

96. *Ms. Warburg withdrew.*

97. *At the invitation of the Chairman, Mr. Assor (Surrey Three Faiths Forum) took a place at the petitioners' table.*

98. **Mr. Assor** (Surrey Three Faiths Forum) drew attention to the embezzlement by the Frente POLISARIO of aid meant for refugees. It had been proven that funds for refugees had been illicitly re-routed for the benefit of the Frente POLISARIO. The Committee should grant his organization the possibility to investigate further in order to identify the guilty and restore honesty; an audit of the monies handed over and proper accounting procedures were also needed. The blockade of the refugee camps should be lifted so that his organization could enter the camps. Food donated by international non-governmental organizations had found its way to the markets of Nouadhibou in Mauritania. Re-routing of aid had even been reported in the Algerian press. Better management of that aid must be ensured by the Office of the United Nations High Commissioner for Refugees (UNHCR) and not by remote control from Algiers. The Frente POLISARIO had squandered more money on military projects than UNHCR had spent globally on refugees. An immediate investigation into the misappropriation of humanitarian aid was required.

The meeting rose at 6.05 p.m.